

Effective 5/7/2025

Part 1

General Firearm Laws

53-5a-101 Title.

This chapter is known as "Firearm Laws."

Renumbered and Amended by Chapter 382, 2008 General Session

53-5a-101.5 Definitions.

As used in this part:

- (1) "Ammunition" means the same as that term is defined in Section 53-5d-102.
- (2)
 - (a) "Antique firearm" means:
 - (i) a firearm, including a firearm with a matchlock, flintlock, percussion cap, or similar type of ignition system, manufactured in or before 1898;
 - (ii) a firearm that is a replica of a firearm described in this Subsection (2)(a), if the replica:
 - (A) is not designed or redesigned for using rimfire or conventional centerfire fixed ammunition; or
 - (B) uses rimfire or centerfire fixed ammunition which is no longer manufactured in the United States and is not readily available in ordinary channels of commercial trade; or
 - (iii) a firearm that:
 - (A) is a muzzle loading rifle, shotgun, or pistol; and
 - (B) is designed to use black powder, or a black powder substitute, and cannot use fixed ammunition.
 - (b) "Antique firearm" does not include:
 - (i) a weapon that incorporates a firearm frame or receiver;
 - (ii) a firearm that is converted into a muzzle loading weapon; or
 - (iii) a muzzle loading weapon that can be readily converted to fire fixed ammunition by replacing the:
 - (A) barrel;
 - (B) bolt;
 - (C) breechblock; or
 - (D) any combination of Subsection (2)(b)(iii)(A), (B), or (C).
- (3) "Bureau" means the Bureau of Criminal Identification created in Section 53-10-201 within the department.
- (4)
 - (a) "Concealed firearm" means a firearm that is:
 - (i) covered, hidden, or secreted in a manner that the public would not be aware of the firearm's presence; and
 - (ii) readily accessible for immediate use.
 - (b) "Concealed firearm" does not include a firearm that is unloaded and securely encased.
- (5) "Court commissioner" means an individual appointed under Section 78A-5-107.
- (6) "Dangerous weapon" means the same as that term is defined in Section 76-11-101.
- (7) "Directive" means the same as that term is defined in Section 78B-6-2301.

- (8) "Firearm" means a pistol, revolver, shotgun, short barreled shotgun, rifle or short barreled rifle, or a device that could be used as a dangerous weapon from which is expelled a projectile by action of an explosive.
- (9) "Firearm accessory" means the same as that term is defined in Section 53-5a-401.
- (10) "Handgun" means a pistol, revolver, or other firearm of any description, from which a shot, bullet, or other missile can be discharged, the length of which, not including any revolving, detachable, or magazine breech, does not exceed 12 inches.
- (11) "Judge" means the same as that term is defined in Section 53-5a-311.
- (12) "Law enforcement official" means the same as that term is defined in Section 53-5a-311.
- (13) "Local or state governmental entity" means the same as that term is defined in Section 78B-6-2301.
- (14) "Readily accessible for immediate use" means that a firearm or other dangerous weapon is carried on the person or within such close proximity and in such a manner that the weapon can be retrieved and used as readily as if carried on the person.
- (15) "Securely encased firearm" means the same as that term is defined in Section 76-11-201.
- (16) "Short barreled rifle" means the same as that term is defined in Section 53-5a-601.
- (17) "Short barreled shotgun" means the same as that term is defined in Section 53-5a-601.
- (18) "Shotgun" means the same as that term is defined in Section 53-5a-601.
- (19) "Slug" means the same as that term is defined in Section 53-5a-601.

Enacted by Chapter 208, 2025 General Session

53-5a-102 Uniform firearm laws.

- (1) The individual right to keep and bear arms being a constitutionally protected right under Utah Constitution Article I, Section 6, and the Second Amendment to the United States Constitution, the Legislature finds the need to provide uniform civil and criminal firearm laws throughout the state and declares that the Legislature occupies the whole field of state regulation of firearms.
- (2) Except as specifically provided by state law, a local or state governmental entity may not:
 - (a) prohibit an individual from owning, possessing, purchasing, selling, transferring, transporting, or keeping a firearm, ammunition, or a firearm accessory at the individual's place of residence, property, business, or in any vehicle in which the individual is lawfully present; or
 - (b) require an individual to have a permit or license to purchase, own, possess, transport, or keep a firearm, ammunition, or a firearm accessory.
- (3) This part and Title 76, Chapter 11, Weapons, are uniformly applicable throughout the state and in all the political subdivisions of the state.
- (4) Authority to regulate firearms, ammunition, and firearm accessories is reserved to the state except where the Legislature specifically delegates responsibility to local or state governmental entities.
- (5) Unless specifically authorized by the Legislature by statute, a local or state governmental entity may not enact, establish, or enforce a directive pertaining to firearms, ammunition, or firearm accessories that in any way inhibits or restricts the possession, ownership, purchase, sale, transfer, transport, or use of firearms, ammunition, or firearm accessories on either public or private property.
- (6) This section does not restrict or expand private property rights.
- (7) A violation of this section is subject to Title 78B, Chapter 6, Part 23, Firearm Preemption Enforcement Act.

Amended by Chapter 173, 2025 General Session

Amended by Chapter 208, 2025 General Session

53-5a-102.1 When a firearm is considered to be loaded.

For the purpose of this chapter, a firearm is considered to be loaded if the firearm meets the conditions described in Subsection 76-11-102(1).

Enacted by Chapter 208, 2025 General Session

53-5a-102.2 Open and concealed carry of a firearm outside of an individual's residence.

(1) To effectuate the Second Amendment to the United States Constitution and Utah Constitution, Article I, Section 6, that prohibit the infringement of the right of the people of Utah to keep and bear arms for security and defense of self, family, others, property, or the state, as well as for other lawful purposes, and consistent with the Legislature's ability to define the lawful use of arms:

(a) subject to Subsections (2)(a) and (b), an individual 18 years old or older but younger than 21 years old without a provisional concealed carry permit issued under Section 53-5a-305 and who may otherwise lawfully possess firearms, may only carry in an open manner:

- (i) an unloaded rifle, shotgun, or muzzle-loading rifle in a vehicle in which the individual is lawfully present;
- (ii) an unloaded or loaded handgun in a vehicle in which the individual is lawfully present; and
- (iii) an unloaded firearm that the individual may otherwise lawfully carry:
 - (A) on a public street; or
 - (B) in any other public location not prohibited by, or in accordance with, state statute or federal law;

(b) subject to Subsection (2)(b), an individual 21 years old or older who may otherwise lawfully possess firearms, may open or conceal carry, without a conceal carry permit:

- (i) an unloaded or loaded firearm:
 - (A) on a public street; or
 - (B) in any other place not prohibited by, or pursuant to, state statute or federal law;
- (ii) an unloaded or loaded handgun in a vehicle in which the individual is lawfully present; and
- (iii) an unloaded rifle, shotgun, or muzzle-loading rifle in a vehicle in which the individual is lawfully present; and

(c) subject to Subsections (2)(c) and (d), an individual 18 years old or older with a concealed carry permit issued under Section 53-5a-303, a temporary concealed carry permit issued under Section 53-5a-304, a provisional concealed carry permit issued under Section 53-5a-305, or a concealed carry permit lawfully issued by or in another state, who may otherwise lawfully possess firearms, may open or conceal carry a loaded or unloaded firearm:

- (i) in a vehicle in which the individual is lawfully present;
- (ii) on a public street; or
- (iii) in any other place not prohibited by, or pursuant to, state statute or federal law.

(2)

(a) An individual 18 years old or older but younger than 21 years old under Subsection (1)(a) without a provisional concealed carry permit issued under Section 53-5a-305 may not carry a firearm in any manner:

- (i) in a secure area established in accordance with Section 76-8-311.1 in which dangerous weapons are prohibited and notice of the prohibition is posted;
- (ii) on or about the premises of a public or private elementary school or secondary school as described in Section 76-11-205;

- (iii) on or about the premises of an institution of higher education as described in Section 76-11-205.5;
 - (iv) on or about the premises of a daycare as described in Section 76-11-206;
 - (v) in an airport secure area as described in Section 76-11-218;
 - (vi) in a house of worship or in any private residence where dangerous weapons are prohibited as described in Section 76-11-219; or
 - (vii) in any other place prohibited by, or pursuant to, another state statute or federal law.
- (b) An individual 21 years old or older without a concealed carry permit under Subsection (1)(b) may not:
- (i) carry a firearm in any manner:
 - (A) in a secure area established in accordance with Section 76-8-311.1 in which dangerous weapons are prohibited and notice of the prohibition is posted;
 - (B) on or about the school premises of a public or private elementary school or secondary school as described in Section 76-11-205;
 - (C) on or about a daycare premises as described in Section 76-11-206;
 - (D) in an airport secure area as described in Section 76-11-218;
 - (E) in a house of worship or in any private residence where dangerous weapons are prohibited as described in Section 76-11-219; or
 - (F) in any other place prohibited by, or pursuant to, another state statute or federal law; or
 - (ii) openly carry a firearm, unless lawfully responding to an active threat in accordance with Section 76-2-402, 76-2-405, or 76-2-407, on or about the premises of an institution of higher education as described in Section 76-11-205.5.
- (c) Subject to Subsection (2)(d), an individual with a concealed carry permit under Subsection (1)(c) may not:
- (i) carry a firearm in any manner:
 - (A) in a secure area established in accordance with Section 76-8-311.1 in which dangerous weapons are prohibited and notice of the prohibition posted;
 - (B) in an airport secure area as described in Section 76-11-218;
 - (C) in a house of worship or in any private residence where dangerous weapons are prohibited as described in Section 76-11-219; or
 - (D) in any other place prohibited by, or pursuant to, another state statute or federal law; or
 - (ii) openly carry a firearm, unless lawfully responding to an active threat in accordance with Section 76-2-402, 76-2-405, or 76-2-407:
 - (A) on or about the premises of a public or private elementary school or secondary school as described in Section 76-11-205; or
 - (B) on or about the premises of an institution of higher education as described in Section 76-11-205.5.
- (d) In addition to the restrictions described in Subsection (2)(c):
- (i) an individual 18 years old but younger than 21 years old with a provisional concealed carry permit under Section 53-5a-304 may not carry a firearm in any manner on or about the premises of a public or private elementary school or secondary school as described in Section 76-11-205; and
 - (ii) an individual with only a concealed carry permit lawfully issued by or in another state may not carry a firearm in any manner:
 - (A) on or about the premises of a public or private elementary school or secondary school as described in Section 76-11-205; or
 - (B) on or about the premises of a daycare as described in Section 76-11-206.
- (3) This section does not prohibit:

- (a) the owner or lawful possessor of a vehicle from prohibiting another individual from carrying a firearm in the owner or lawful possessor's vehicle; or
 - (b) except as provided in Section 53-5a-102.3, the owner or lawful lessee of private real property from prohibiting another individual from possessing a firearm on the property.
- (4) An individual is lawfully present in a vehicle while carrying a firearm under this section if:
- (a) the vehicle is in the lawful possession of the individual; or
 - (b) the individual has the consent of the person lawfully in possession of the vehicle to carry the firearm in the vehicle.

Amended by Chapter 171, 2026 General Session

53-5a-102.3 Possession of a firearm at a residence or on real property.

- (1) Except for an individual categorized as a restricted person under Section 76-11-302, Section 76-11-303, or 18 U.S.C. Sec. 922(g), or an individual otherwise prohibited by law, an individual 18 years old or older may have, and cannot be restricted from having, a loaded or unloaded firearm:
- (a) at the individual's place of residence; or
 - (b) on the individual's real property.
- (2) An individual's place of residence described in Subsection (1)(a) includes:
- (a) a temporary residence or camp; or
 - (b) a residence that the individual has been granted the lawful right of possession to rent or lease.

Renumbered and Amended by Chapter 173, 2025 General Session

Renumbered and Amended by Chapter 208, 2025 General Session

53-5a-103 Discharge of a firearm on private property -- Liability.

- (1) As used in this section:
- (a) "Firearm possessor" means an individual who may lawfully possess a firearm.
 - (b) "Property occupant" means:
 - (i) a private property owner; or
 - (ii) an individual who has the right to occupy a private property under an agreement.
- (2) Except as provided under Subsection (3), a property occupant, who knowingly allows a firearm possessor to lawfully bring a firearm onto the property occupant's property, is not civilly or criminally liable for any damage or harm resulting from the discharge of the firearm by the firearm possessor while on the property occupant's property.
- (3) Subsection (2) does not apply if the property occupant solicits, requests, commands, encourages, or intentionally aids the firearm possessor in discharging the firearm while on the property occupant's property for a purpose other than the lawful defense of an individual on the property.
- (4) This section does not alter the responsibilities a tenant owes to a landlord under the terms of the lease agreement entered into between the tenant and landlord.

Amended by Chapter 208, 2025 General Session

53-5a-103.5 Firearm regulation in homeless shelters.

- (1) As used in this section:
- (a)

- (i) "Homeless shelter" means a permanent or temporary facility operated or owned by a local or state governmental entity that provides temporary shelter to homeless individuals and has the capacity to provide temporary shelter to at least 10 individuals per night.
 - (ii) "Homeless shelter" does not include a permanent or temporary facility operated by a local or state governmental entity that provides temporary shelter to individuals displaced due to a disaster or under a state of emergency.
 - (b) "Local or state governmental entity" means the same as that term is defined in Section 78B-6-2301.
- (2)
- (a) Except as provided in Subsection (2)(b) and subject to Subsection (3), a local or state governmental entity may prohibit the possession of a firearm within a homeless shelter over which the local or state government entity exercises authority.
 - (b) A local or state governmental entity may not prohibit the possession of a firearm on the grounds outside of a homeless shelter.
- (3) If a local or state governmental entity prohibits the possession of a firearm under Subsection (2), the local or state governmental entity shall:
- (a) display readily visible signage at all public entrances of the homeless shelter indicating that firearms are not permitted inside the homeless shelter;
 - (b)
 - (i) provide a means of detecting a firearm at all public entrances to the homeless shelter; and
 - (ii) ensure an individual is physically present at a public entrance to the homeless shelter when the public entrance to the homeless shelter is in use;
 - (c) provide secure storage for a firearm while an individual is inside the homeless shelter; and
 - (d) prohibit the collection of information about a firearm that is stored at the homeless shelter, including taking a photograph of the firearm or recording the serial number of the firearm.
- (4) A stored firearm in a homeless shelter that is abandoned for more than seven days by the owner of the firearm may be relinquished by the homeless shelter to a law enforcement agency for disposal.

Enacted by Chapter 428, 2022 General Session

53-5a-104 Firearm transfer certification or notification.

- (1) As used in this section:
- (a) "Certification" means the participation and assent of the chief law enforcement officer necessary under federal law for the approval of the application to transfer or make a firearm.
 - (b) "Chief law enforcement officer" means any official that the Bureau of Alcohol, Tobacco, Firearms and Explosives, or any successor agency, identifies by regulation or otherwise as eligible to provide any required certification for the making or transfer of a firearm.
 - (c) "Firearm" means the same as that term is defined in the National Firearms Act, 26 U.S.C. Sec. 5845(a).
 - (d) "Local law enforcement agency" means the same as that term is described in 18 U.S.C. Sec. 923.
 - (e) "Notification" means any form or record that is subject to 18 U.S.C. Sec. 923(g)(3)(B).
- (2) A chief law enforcement officer may not make a certification under this section that the chief law enforcement officer knows to be untrue. The chief law enforcement officer may not refuse to provide certification based on a generalized objection to private persons or entities making, possessing, or receiving firearms or any certain type of firearm, the possession of which is not prohibited by law.

- (3) Upon receiving a federal firearm transfer form a chief law enforcement officer or the chief law enforcement officer's designee shall provide certification if the applicant:
 - (a) is not prohibited by law from receiving or possessing the firearm; or
 - (b) is not the subject of a proceeding that could result in the applicant being prohibited by law from receiving or possessing the firearm.
- (4) The chief law enforcement officer, the chief law enforcement officer's designee, or official signing the federal transfer form shall:
 - (a) return the federal transfer form to the applicant within 15 calendar days; or
 - (b) if the applicant is denied, provide to the applicant the reasons for denial in writing within 15 calendar days.
- (5) Chief law enforcement officers and their employees who act in good faith when acting within the scope of their duties are immune from liability arising from any act or omission in making a certification as required by this section. Any action taken against a chief law enforcement officer or an employee shall be in accordance with Title 63G, Chapter 7, Governmental Immunity Act of Utah.
- (6) A chief law enforcement officer or local law enforcement agency that receives a certification or notification shall destroy and delete the certification or notification and any other record that contains information obtained from the certification or notification within 15 days after the day on which the chief law enforcement officer or local law enforcement agency receives the certification or notification.
- (7) A certification or notification and any other record or portion of a record that contains information gathered from the certification or notification is classified as a private record in accordance with Title 63G, Chapter 2, Government Records Access and Management Act.

Amended by Chapter 245, 2017 General Session

53-5a-105 Number or mark assigned to a handgun by the department.

- (1) The department, upon request, may assign a distinguishing number or mark of identification to a handgun whenever it is without a manufacturer's number, or other mark of identification or whenever the manufacturer's number or other mark of identification or the distinguishing number or mark assigned by the department has been destroyed or obliterated.
- (2) Except as provided in Subsection (3), an individual who places or stamps a mark of identification or distinguishing number on a handgun except one assigned to the handgun by the department is guilty of a class A misdemeanor.
- (3) This section does not:
 - (a) prohibit restoration by the owner of the name of the maker, model, or of the original manufacturer's number or other mark of identification when the restoration is authorized by the department;
 - (b) prohibit a manufacturer from placing in the ordinary course of business the name of the make, model, manufacturer's number, or other mark of identification upon a new handgun; or
 - (c) apply to a handgun that is an antique firearm.

Renumbered and Amended by Chapter 208, 2025 General Session

53-5a-106 Alteration of number or mark on a handgun.

- (1) An individual may not change, alter, remove, or obliterate the name of the maker, the model, manufacturer's number, or other mark of identification, including any distinguishing number

or mark assigned by the department, on a handgun, without first having secured written permission from the department to make the change, alteration, removal, or obliteration.

(2) Except as provided in Subsection (3), a violation of Subsection (1) is a class A misdemeanor.

(3) This section does not apply to a handgun that is an antique firearm.

Renumbered and Amended by Chapter 208, 2025 General Session

53-5a-107 Compliance with firearms prohibitions in secure facilities.

An individual, including an individual with a concealed firearm permit issued under Part 3, Concealed Firearm Permits, or possessing a concealed firearm without a permit in accordance with Section 53-5a-102.2, shall comply with any rule established by a secure facility pursuant to Section 76-8-311.1 and is subject to any penalty provided for violating the established rule.

Renumbered and Amended by Chapter 173, 2025 General Session

Renumbered and Amended by Chapter 208, 2025 General Session

53-5a-108 Individuals who are exempt from certain weapons laws.

(1) Except as provided in Subsections (2) and (3), this part, Part 3, Concealed Firearm Permits, and Title 76, Chapter 11, Weapons, do not apply to any of the following:

- (a) a United States marshal;
- (b) a federal official required to carry a firearm;
- (c) a peace officer of any jurisdiction;
- (d) a law enforcement official with a certificate issued under Section 53-5a-311(4);
- (e) a judge with a certificate issued under Section 53-5a-311(4);
- (f) a court commissioner with a certificate issued under Section 53-5a-311(4); or
- (g) a common carrier while engaged in the regular and ordinary transport of firearms as merchandise.

(2) Subsection (1) does not apply to Section 76-11-207, 76-11-209, or 76-11-210.

(3) Notwithstanding Subsection (1), the provisions of Section 76-11-217 apply to any individual listed in Subsection (1) who is not employed by a state or federal agency or political subdivision that has adopted a policy or rule regarding the use of dangerous weapons.

Renumbered and Amended by Chapter 173, 2025 General Session

Renumbered and Amended by Chapter 208, 2025 General Session